

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,) CASE NO. 06-559M
)
Plaintiff,)
)
v.)
) DETENTION ORDER
THANH SONG VO,)
)
Defendant.)
_____)

Offense charged:

Possession with Intent to Distribute Marijuana

Date of Detention Hearing: October 26, 2006

The Court, having conducted a detention hearing pursuant to 18 U.S.C. § 3142(f), and based upon the factual findings and statement of reasons for detention hereafter set forth, finds that no condition or combination of conditions which defendant can meet will reasonably assure the appearance of defendant as required.

FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

(1) Defendant has been indicted in the District of Montana for Possession with Intent

01 to Distribute Marijuana, Case No. CR 06-55 (Dkt. 1). After an identity hearing in this Court,
02 defendant has been found to be the person named in the Indictment and an Order of Transfer has
03 been signed. (Dkt. 6).

04 (2) Defendant's criminal history includes a number of failures to appear for hearing.
05 He has a prior forgery conviction and a number of other felony charges. He has a pending charge
06 for Driving While Under the Influence set for jury trial on November 13, 2006. Some of the
07 information provided to Pretrial Services about his family history was contradicted by his
08 girlfriend. He claims to rarely drink alcohol, but has a number of alcohol related driving charges
09 on his criminal history. On the advice of counsel, he did not answer additional questions about
10 substance abuse, so that factor is unknown. He has no known ties to the charging District.

11 (3) Defendant poses a risk of nonappearance due to a history of failing to appear for
12 court hearings, a lack of ties to the District of Montana, and some conflicting information about
13 family history and substance abuse.

14 (4) There does not appear to be any condition or combination of conditions that will
15 reasonably assure the defendant's appearance at future Court hearings.

16 It is therefore ORDERED:

17 (1) Defendant shall be detained pending trial and committed to the custody of the
18 Attorney General for confinement in a correction facility separate, to the extent
19 practicable, from persons awaiting or serving sentences or being held in custody
20 pending appeal;

21 (2) Defendant shall be afforded reasonable opportunity for private consultation with
22 counsel;

01 (3) On order of a court of the United States or on request of an attorney for the
02 Government, the person in charge of the corrections facility in which defendant is
03 confined shall deliver the defendant to a United States Marshal for the purpose of
04 an appearance in connection with a court proceeding; and

05 (4) The clerk shall direct copies of this Order to counsel for the United States, to
06 counsel for the defendant, to the United States Marshal, and to the United States
07 Pretrial Services Officer.

08 DATED this 27th day of October, 2006.

09 
10 Mary Alice Theiler
11 United States Magistrate Judge
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